

73-18c-102 Definitions.

As used in this chapter:

- (1) "Airboat" means a vessel propelled by air pressure caused by an airplane type propeller mounted above the stern and driven by an internal combustion engine.
- (2) "Board" means the Board of Parks and Recreation.
- (3) "Division" means the Division of Parks and Recreation.
- (4) "Judgment" means any judgment that is final by:
 - (a) expiration without appeal of the time within which an appeal might have been perfected; or
 - (b) final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action for damages:
 - (i) arising out of the ownership, maintenance, or use of any personal watercraft, including damages for care and loss of services because of bodily injury to or death of any person, or because of injury to or destruction of property including the loss of use of the property; or
 - (ii) on a settlement agreement.
- (5)
 - (a) "Motorboat" has the same meaning as defined in Section 73-18-2.
 - (b) "Motorboat" includes personal watercraft regardless of the manufacturer listed horsepower.
 - (c) "Motorboat" does not include:
 - (i) a boat with a manufacturer listed horsepower of 50 horsepower or less; or
 - (ii) an airboat.
- (6) "Nonresident" means any person who is not a resident of Utah.
- (7) "Operator" means the person who is in control of a motorboat while it is in use.
- (8)
 - (a) "Owner" means a person, other than a lien holder, holding a proprietary interest in or the title to a motorboat.
 - (b) "Owner" includes a person entitled to the use or possession of a motorboat subject to an interest by another person, reserved or created by agreement and securing payment or performance of an obligation.
 - (c) "Owner" does not include a lessee under a lease not intended as security.
- (9) "Owner's or operator's security," "owner's security," or "operator's security" means any of the following:
 - (a) an insurance policy or combination of policies conforming to Sections 31A-22-1502 and 31A-22-1503, which is issued by an insurer authorized to do business in Utah;
 - (b) a surety bond issued by an insurer authorized to do a surety business in Utah in which the surety is subject to the minimum coverage limits and other requirements of policies conforming to Sections 31A-22-1502 and 31A-22-1503, which names the division as a creditor under the bond for the use of persons entitled to the proceeds of the bond;
 - (c) a deposit with the state treasurer of cash or securities complying with Section 73-18c-305;
 - (d) a certificate of self-funded coverage issued under Section 73-18c-306; or
 - (e) a policy conforming to Sections 31A-22-1502 and 31A-22-1503 issued by the Risk Management Fund created in Section 63A-4-201.
- (10) "Personal watercraft" has the same meaning as provided in Section 73-18-2.
- (11) "Registration" means the issuance of the registration cards and decals issued under the laws of Utah pertaining to the registration of motorboats.
- (12) "Registration materials" means the evidences of motorboat registration, including all registration cards and decals.
- (13) "Self-insurance" has the same meaning as provided in Section 31A-1-301.
- (14) "Waters of the state" means any waters within the territorial limits of this state.

Amended by Chapter 113, 2007 General Session